

1
2
3 BILL NO. R-77-02 - 22

4
5 RESOLUTION NO. R- 07-77.

6 A RESOLUTION AUTHORIZING PAYMENT
7 OF CETA HEARING PANEL AWARD
8 INTEREST AND ATTORNEY FEES IN
9 FAVOR OF MR. DAVID TANNER.

10 WHEREAS, the City of Fort Wayne, Indiana acted as the prime
11 sponsor under Federal Grant between Fort Wayne Manpower Con-
12 sortium and the Department of Labor; and,


13 WHEREAS, the City of Fort Wayne, Indiana has been declared
14 liable for back wages due David Tanner under Grievance Proceed-
15 ings before a CETA Review Board, and by a subsequent Department
16 of Labor Ruling, which award was made in favor of David Tanner
17 against the City of Fort Wayne for back wages due to David
18 Tanner; and,

19 WHEREAS, the City of Fort Wayne, Indiana was therein found
20 to have wrongfully discharged said David Tanner; and,

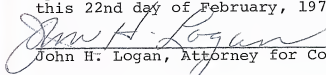
21 WHEREAS, David Tanner has suffered considerable personal
22 hardship during and since the time he was not permitted to
23 work on CETA and was forced to retain legal representation in
24 an attempt to procure the monies awarded him as above set forth.

25 NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF
26 THE CITY OF FORT WAYNE, INDIANA:

27 That the City of Fort Wayne is hereby authorized
28 and directed to pay the sum of \$3,564.60, being
29 the amount of the award made by the CETA Award
30 Panel for back wages found and adjudged to be due
31 said David Tanner, plus interest at the rate of
32 8% from the due date for each pay period found
33 and adjudged by the said CETA Award Panel not to
34 be paid to said David Tanner.

35

Councilman

Approved as to form and legality
this 22nd day of February, 1977.


John H. Logan, Attorney for Common Council

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the day of _____, 1976, at _____ o'clock P.M., E.S.T.

DATE: _____

CITY CLERK

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage.

PASSED (KOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BURNS	_____	_____	<input checked="" type="checkbox"/>	_____	_____
HINGA	<input checked="" type="checkbox"/>	_____	_____	_____	_____
HUNTER	_____	<input checked="" type="checkbox"/>	_____	_____	_____
MOSES	<input checked="" type="checkbox"/>	_____	_____	_____	_____
NUCKOLS	<input checked="" type="checkbox"/>	_____	_____	_____	_____
SCHMIDT, D.	_____	_____	_____	<input checked="" type="checkbox"/>	_____
SCHMIDT, V.	<input checked="" type="checkbox"/>	_____	_____	_____	_____
STIER	<input checked="" type="checkbox"/>	_____	_____	_____	_____
TALARICO	<input checked="" type="checkbox"/>	_____	_____	_____	_____

DATE: 2-22-77

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ZONING MAP~~) (~~GENERAL~~) (~~ANNEXATION~~) (~~SPECIAL~~) (~~APPROPRIATION~~)

ORDINANCE (~~RESOLUTION~~) No. 07-77 on the 22nd day of Feb., 1976.
ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 22nd day of February, 1976, at the hour of 11:00 o'clock 4 M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 1976, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

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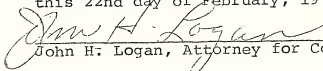
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35 _____
Councilman

Approved as to form and legality
this 22nd day of February, 1977.


John H. Logan, Attorney for Common Council

*How to write memos, Robert
Tanner speaks same thing*

Bill Salin

Memorandum

To Robert Speaks

Date 1/14/77

From William N. Salin

Subject David Tanner

COPIES TO:

Henry Wehrenberg

William
Schnizer

Dear Bob,

In response to your January 11th memo, be advised that David Tanner terminated his employment with the City of Fort Wayne when Mr. Wehrenberg asked that he be transferred from the Board of Public Works to CETA. From and after that date the City of Fort Wayne has no responsibility to pay Mr. Tanner.

I have advised Mr. Schnizer that the City has no responsibility.

Apparently, the Department of Labor takes the position that it has no responsibility nor funds with which to pay Mr. Tanner and the City takes the same position.

That is, we are prohibited from paying people who do not work, and for whom there is no money in the budget.

Very truly yours,



William N. Salin

WNS:cu



Employment and Training Administration
230 South Dearborn Street
Chicago, Illinois 60604

December 13, 1976

RECEIVED

DEC 16 1976

CETA - National Office
Chicago, Illinois

Mr. Robert Speaks
Executive Director, CETA
City-County Building
6th Floor, One Main Street
Ft. Wayne, Indiana 46802

Dear Mr. Speaks:

We have received and reviewed your letter of November 9, 1976, regarding Mr. David Tanner's complaint. This response does not question the conclusions you arrived at regarding the amount of backpay which may be due to him. However, it is the policy of the Employment and Training Administration that CETA funds cannot be used to pay any back wages to Mr. Tanner because CETA funds cannot be used to pay an individual for work not performed.

Sincerely,

DAVID R. JOHNSTON
Associate Regional Administrator
for Indiana Area Operations Office

COPIES: Mayor Armstrong
H. Faust
H. Wehrenberg
W. Salin
M. Rodriguez
File (Tanner) ✓